

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ARTHUR LENARD AUSTIN,

Plaintiff,

v.

JOHN SNAZA,

Defendant.

CASE NO. 3:22-cv-05567-JHC

ORDER ADOPTING REPORT AND  
RECOMMENDATION

The Court, having reviewed Petitioner's petition for writ of habeas corpus under 28 U.S.C. § 2254, the Report and Recommendation of Michelle L. Peterson, United States Magistrate Judge, and the remaining record, hereby finds and ORDERS:

- 1) The Report and Recommendation is approved and adopted.
- 2) Petitioner's federal habeas petition (Dkt. # 1) and this action are DISMISSED without prejudice.
- 3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts, a certificate of appealability is DENIED.

1           4) The Clerk is directed to send copies of this Order to Petitioner, to Petitioner's  
2           mother,<sup>1</sup> and to Judge Peterson.

3           Dated this 4th day of November, 2022.

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6           John H. Chun  
7           United States District Judge  
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<sup>1</sup> The address for Petitioner's mother can be found at Dkt. # 1-1 at 16.